

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 7: Administrative Office of the Courts
Chapter 2: Certification and Licensing Programs
Section 7-208: Legal Document Preparer

A. through D. [No changes]

E. Certification. In addition to the requirements of ACJA § 7-201(E) the following requirements apply:

1. and 2. **[No changes]**

3. Individual Standard Certification.

a. through c. **[No changes]**

d. Eligibility for Business Entity Standard Certification.

(1) and (2) **[No changes]**

(3) A sole proprietor who does not employ certified legal document preparers or supervise ~~trainees pursuant to subsections (A) and (F)(5);~~ others in the preparation of legal documents is not required to hold certification as a business entity, provided the sole proprietor holds valid certification as an individual legal document preparer.

(4) ~~The board may grant a waiver of the business entity application fee to a A corporation, limited liability company, or partnership that essentially operates as a sole proprietorship because it does not employ more than one certified legal document preparer, does not supervise others in the preparation of legal documents provided trainees pursuant to subsections (A) and (F)(5), provided: (a) The individual operating the business holds valid certification as an individual legal document preparer; and shall pay the fees as set forth in subsection K.~~

~~(b) The business entity has applied for and obtained a business entity certification fee exemption.~~

~~(5) The board will review each fee exemption request individually.~~

~~(6) If the board approves a business entity certification fee exemption, the board shall refund the fees submitted with the exempted business entity's application.~~

(75) A person who has been disbarred by the highest court in any state, and who has not been reinstated, may not:

(a) retain any ownership interest in a certified legal document preparer business;
or

(b) provide any legal document preparation or legal services to or on behalf of a certified legal document preparer business, including training and legal research, whether for or without compensation. This prohibition does not apply to a person certified as an individual providing legal document preparation services in compliance with Rule 31, ACJA § 7-201 and this section.

- (86) A person whose individual application has been denied or whose individual certificate has been revoked by the board may not:
- (a) retain any ownership interest in a certified legal document preparer business; or
 - (b) provide any legal document preparation or legal services to or on behalf of a certified legal document preparer business, including training and legal research, whether for or without compensation.

e. [No changes]

4. [No changes]

F. [No changes]

G. Renewal of Certification. In addition to the requirements contained in ACJA § 7-201(G) the following requirements apply:

- 1. [No changes]
- 2. Continuing Education. All certified legal document preparers shall complete ~~ten~~ fifteen hours of continuing education ~~each year for a total of twenty hours~~ every certification period pursuant to subsection (L).
- 3. [No changes]

H. and I. [No changes]

J. Code of Conduct. This code of conduct is adopted by the supreme court to apply to all certified legal document preparers in the state of Arizona. The purpose of this code of conduct is to establish minimum standards for performance by certified legal document preparers.

1. and 2. [No changes]

3. Fees and Services.

a. though d. [No changes]

e. Other than performing research to determine the legal document preparer is utilizing the appropriate form, the legal document preparer shall not perform legal research concerning particular statutes, case law or other sources of information concerning legal theory or authority on behalf of a specific client. The legal document preparer may perform such research to develop an understanding of general legal principles when the research is not done on behalf of a specific client.

f. If a legal document preparer drafts a document that contains substantive legal statements or arguments, the legal document preparer must maintain adequate records

to demonstrate that all research, analysis and legal statements and arguments were developed by the client and provided by the client to the legal document preparer for inclusion in documents prepared by the legal document preparer consistent with the requirements of subsection F(1).

4. and 5. [No changes]

K. Fee Schedule.

1. [No changes]

2. Business Entity Certification for entity eligible pursuant to 7-208(E)(3)(d)(1)
for Two Year Certification Period \$650.00

a. For certification expiring **more** than one year after application date \$650.00

b. For certification expiring **less** than one year after application date \$325.00

3. Business Entity Certification for entity eligible pursuant to 7-208(E)(3)(d)(4)
for Two Year Certification Period \$100.00

a. For certification expiring **more** than one year after application date \$100.00

b. For certification expiring **less** than one year after application date \$ 50.00

34. Examination Fees

a. New Applicants for Certification \$ 50.00

b. Reexaminations \$ 50.00

(For any applicant who does not pass the examination on the first attempt. The \$50.00 fee applies to each reexamination.)

c. Reregistration for Examination \$ 50.00

(For any applicant who registers for an examination date and fails to appear at the designated site on the scheduled date and time.)

45. Renewal Certification Fees.

a. Individual Renewal for Two Year Renewal Period \$600.00

b. Business Entity Renewal for entity eligible pursuant to
7-208(E)(3)(d)(1) for Two Year Renewal Period \$600.00

c. <u>Business Entity Renewal for entity eligible pursuant to 7-208(E)(3)(d)(4)for Two Year Renewal Period</u>	<u>\$100.00</u>
ed. Inactive Status	\$200.00
de. Late Renewal	\$ 50.00
ef. Delinquent Continuing Education	<u>\$250.00</u>

56. Miscellaneous Fees.

a. Replacement of Certificate or Name Change	\$ 25.00
b. Public Record Request per Page Copy	\$.50
c. Certificate of Correctness of Copy of Record	\$ 18.00
d. Reinstatement Application	\$100.00

(Application for reinstatement to certification after suspension or revocation of certification.)

L. Continuing Education Policy.

1. [No changes]

2. Applicability.

a. Pursuant to subsection (G)(2), all legal document preparers who hold individual certification shall attend and complete no less than a total of ~~ten~~ fifteen hours of approved continuing education ~~each year~~ between the period of May 1st of every odd numbered year and April 30th of the following odd numbered year; ~~for a total of no less than twenty hours of continuing education completed on or before April 30th of every odd numbered year.~~ The continuing education requirements do not apply to certified legal document preparer business entities. Hours of participation are not transferable to certification periods other than the one in which the participation occurred.

b. [No changes]

3. Responsibilities of Legal Document Preparers.

a. [No changes]

b. From receipt of notice of board approval of individual certification and before April 30th of the following odd numbered year, each legal document preparer shall attend and complete a two hour professionalism training course on the role and responsibilities of the certified legal document preparer as sponsored by division staff. There shall be no cost for any legal document preparer attending the class during the first two years of certification.

b~~c~~. Upon request, each legal document preparer shall provide any additional information required by the board or division staff when reviewing renewal applications and continuing education documentation.

e~~d~~. Continuing education not recognized for credit upon board review does not in any way relieve the legal document preparer of the responsibility to complete the required hours of continuing education.

4. Authorized Continuing Education Activities.

a. A CE activity shall address the areas of proficiency, competency, and performance of legal document preparation, impart knowledge and understanding of the profession, the Arizona judiciary, legal process, and increase the participant's understanding of the responsibilities of a certified legal document preparer. Authorized continuing education activities include the following subjects:

(1) though (4) **[No changes]**

(5) Management issues including public relations, customer service, accounting, time management, human resources, financial and retirement planning, and office management. The maximum hours of continuing education credits earned as business management credit shall not exceed ~~three~~ four and one half hours ~~per year~~ of the total number of continuing education hours required for renewal.

(6) The maximum hours of continuing education credits earned from tax related curriculum shall not exceed ~~three~~ four and one half hours ~~per year~~ of the total number of continuing education hours required for renewal.

b. **[No changes]**

c. Interactive web-based classes. A legal document preparer may receive continuing education credit for completing a computer based or on-line CE program where the participant is required to respond to prompts initiated by the faculty or placed within the course material in order to complete the program.

e~~d~~. University, college and other educational institution courses. A legal document preparer may receive continuing education credit for a course provided by a university, college or other institutionally accredited educational program if the legal document preparer successfully completes the course with a grade of "C" or better or a "pass" in a pass/fail grading system. A legal document preparer may receive continuing education credit if the course is relevant to the legal document preparer profession, up to two times the number of credit hours awarded by the educational

institution. The maximum hours of continuing education credits earned from educational course work shall not exceed 50 percent of the total number of continuing education hours required for renewal.

- de. Self study. A legal document preparer may receive continuing education credit for self study activities meeting the standards set forth in this subsection, including video and audio tapes, online computer seminars where the participant is not required to respond to prompts initiated by the faculty or placed within the course material in order to complete the seminar, and other methods of independent learning. The maximum hours of continuing education credits earned in a self study format shall not exceed ~~50 percent~~ five hours of the total number of continuing education hours required for renewal.
- ef. Serving as faculty. A legal document preparer may receive continuing education credit for serving as faculty, instructor, speaker, or panel member of an instructional seminar directly related to the profession of legal document preparation. A legal document preparer may receive continuing education credit for the presentation time and up to two hours of preparation time for each hour of presentation. The maximum hours of continuing education credits earned as faculty credit shall not exceed 50 percent of the total number of continuing education hours required for renewal and a legal document preparer shall not receive duplicate credit for repeating a presentation during the certificate period.

5. through 8. [No changes]

9. Compliance and Non-Compliance.

a. [No changes]

- b. Proration of continuing education requirement. The continuing education requirement for A a legal document preparer whose certificate expires less than one year from the effective date of certification shall complete no less than ten hours of continuing education credit during the balance of the certification period be satisfied by completion of the professionalism training course required pursuant to subsection (L)(3)(b). A legal document preparer whose certificate expires less than eighteen months from the effective date of certification shall complete no less than ten hours of continuing education credit by April 30th of the following odd numbered year. In subsequent certification periods, the legal document preparer shall complete the biannual ~~twenty~~ fifteen hour continuing education requirement. Proration of the continuing education requirement does not apply to a legal document preparer who previously held certification and allowed their certification to lapse.

c. through e. [No changes]

10. [No changes]